

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA**

FILED

02/18/11

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In re) Bankruptcy Case No. 10-64039-A-7
James Gibbs)
)
)
)
) Docket Control No. PD-1
)
)
)
)
)
Debtor(s))

**NOTICE OF REFERRAL OF APPEAL TO THE BANKRUPTCY APPELLATE
PANEL OF THE NINTH CIRCUIT**

The attached Notice of Appeal has been filed with the Clerk of the U.S. Bankruptcy Court for the Eastern District of California.

NOTICE IS HEREBY GIVEN that by virtue of 28 U.S.C. §158, and orders of the Judicial Council of the Ninth Circuit and the U.S. District Court for the Eastern District of California, the appeal has been referred to the Bankruptcy Appellate Panel of the Ninth Circuit.

NOTICE IS FURTHER GIVEN that any party other than the appellant wishing to have the appeal heard by the U.S. District Court must, within 30 days of the date of this notice, file with the Clerk of the Bankruptcy Appellate Panel a separate written statement of election to transfer the appeal to the U.S. District Court for the Eastern District of California. Upon receipt of a timely statement of election, the Clerk of the Bankruptcy Appellate Panel shall transfer the appeal to the U.S. District Court for the Eastern District of California, in conformity with the foregoing orders and their provisions for election to district court.

For additional information, you may contact the Clerk of the Bankruptcy Appellate Panel for the Ninth Circuit at 125 S. Grand Ave., Pasadena, CA 91105 (telephone: (626) 229-7225).

Dated: 02/18/11

WAYNE BLACKWELDER, CLERK
U.S. BANKRUPTCY COURT
2500 Tulare Street, Suite 2501
Fresno, CA 93721
(559) 499-5800
BY: *Janice Page*

EDC 5-565 (Rev. 9/1/10)

~~Deputy Clerk~~

65

FILED
February 16, 2011
CLERK, U.S. BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

1 GLOBAL CAPITAL LAW
2 GARY HARRE, ESQ. (BAR NO. 86938)
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6 Attorney for Debtor, JAMES GIBBS

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION**

NOTICE OF APPEAL

**TO THE CLERK OF THE BANKRUPTCY COURT AND TO ALL PARTIES IN
INTEREST:**

17 **PLEASE TAKE NOTICE** that appellant James Gibbs, debtor in the above-captioned
18 Chapter 7 bankruptcy case (“Appellant”), appeal under 28 U.S.C. §158(a) from the judgment,
19 order, or decree of the Honorable Whitney Rimel, United Bankruptcy Judge, entered on February
20 15, 2011 in the above-captioned bankruptcy case. Pursuant to Rule 8001(a)-1 of the Rules of the
21 United Bankruptcy Appellate Panel of the Ninth Circuit, attached hereto as Exhibit “A” is a copy
22 of (i) the Granting Motion for Relief from Automatic Stay under 11 U.S.C. § 362 (Real Property)
23 entered on February 15, 2011.

24 The names of all parties to the judgment, order, or decree appealed from and the names,
25 addresses, and telephone numbers of their respective attorneys are as follows:

26	/ / /
27	/ / /
28	/ / /

Appellant:

James Gibbs

Counsel for Appellant:

GARY HARRE, ESQ.
DIANE BEALL, ATTORNEY
GLOBAL CAPITAL LAW
8700 Warner Avenue, Suite 200
Fountain Valley, CA 92807

Telephone: (714) 907-4182
Facsimile: (714) 907-4175

The bankruptcy Appellate Panel is authorized to hear this appeal pursuant to 28 U.S.C. § 158(c)(1). Each party has a right to have the appeal heard by district court. The Appellant has not made this election. The appellee may elect, within the time provided in 28 U.S.C. § 158(c) to have the appeal heard by the district court.

Dated: 02/16/2011

Appellee:

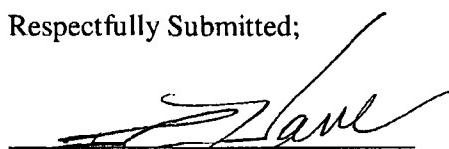
JPMorgan Chase Bank, National Association

Counsel for Appellee:

EDDIE R. JIMENEZ, ESQ.
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Respectfully Submitted;


GARY HARRE, ESQ. (BAR NO. 86398)
DIANE BEALL, ATTORNEY (BAR NO. 86877)
GLOBAL CAPITAL LAW
Attorneys for Debtor

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
CIVIL MINUTES

Case Title : James Gibbs Case No : 10-64039 - A - 7
Date : 2/15/11
Time : 01:30

Matter : [14] – Motion/Application for Relief from Stay
[PD-1] Filed by Creditor JPMorgan Chase
Bank, National Association (Fee Paid \$150)
(hgof) UNOPPOSED

Judge : Whitney Rimel
Courtroom Deputy : Gay Parker
Reporter : Linda Gorman
Department : A

APPEARANCES for :

Movant(s) :
(by phone) Creditor's Attorney – Alexis Bornhoft
Respondent(s) :
(by phone) Debtor(s) Attorney – Barry S. Fagan

MOTION was :
Findings of fact/conclusions of law stated orally on the record
Granted

as to debtor as of date of discharge; Granted as to trustee.